

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 657-2170, FAX: (916) 657-1485, Web: <http://www.waterrights.ca.gov>

**PETITION FOR LONG TERM TRANSFER
OF WATER/WATER RIGHTS**

Pursuant to the following Water Code section ____ 382, or ____ 1735

☐ Point of Diversion ☐ Point of Rediversion ☐ Place of Use ☐ Purpose of Use

BASIS OF RIGHT:

Application No(s). _____ Permit _____ License _____

I (We) hereby petition the State Water Resources Control Board (State Water Board) under the provisions of Water Code (WC) section 1735 et seq. and in conformance with the specific requirements of California Code of Regulations (CCR) section 794, for change(s) to the water right application(s) noted above for the purpose of a long term transfer of water. The changes are **shown on the accompanying map and described as follows:**

Amount of Water to be Transferred Yearly is _____ Acre-feet (AF). If the basis of right is direct diversion, the average rate of diversion for the maximum 30 day period of use is _____ cubic feet per second (cfs).

Proposed New User

<i>Person or Company name</i>	<i>Contact person</i>	<i>Telephone No.</i>
<i>Address</i>	<i>City</i>	<i>State Zip Code</i>
<i>E-MAIL (For noticing purposes)</i>		

Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by CCR section 715, and the 40-acre subdivision in which the present & proposed points lie.

Present _____
Proposed _____

Place of Use

Present _____
Proposed _____

Purpose of Use

Present _____
Proposed _____

<i>Season of Use</i>	<i>Direct Use (cfs)</i>	<i>Storage (ac-ft)</i>
Present _____	_____	_____
Proposed _____	_____	_____

Period of Transfer/Exchange This transfer is to be effective from _____ to _____ of each year, beginning on _____ (date/year) and concluding on _____ (date/year).

It is understood that the precise effect of a transfer on other legal users or instream beneficial uses is difficult to determine in advance of such a transfer. However, please answer the following questions to the best of your knowledge:

Is this transfer likely to cause substantial injury to any legal user of water? Yes _____ No _____

Remarks: _____

Are there any persons taking water from the stream between the present point of diversion or return flow and the proposed point of diversion or return flow? _____. If the answer is yes, provide the name and address. Also provide the name and address of other persons known to you who may be affected by the proposed change.

(yes/no)

_____	_____
_____	_____
_____	_____

Consult with the California Department of Fish and Game pursuant to CCR 794(b) concerning the proposed change. State the name and phone number of the person(s) contacted and their opinion concerning the potential effect(s) of the proposed temporary change on fish, wildlife, or other instream beneficial uses, and state any measures recommended for mitigation. _____

Is this transfer likely to cause any unreasonable effect on fish, wildlife or other instream beneficial uses?

Yes _____ No _____ Remarks: _____

Will this transfer unreasonably effect the overall economy of the area from which the water is being transferred (Water Code Section 386.) _____

Consult with staff of the applicable Regional Water Quality Control Board concerning the proposed change. State the name and phone number of person(s) contacted. Summarize their opinion concerning compliance with CCR 794(b) and any Regional Board requirements. _____

State the conditions that are the basis of this transfer. _____

THIS TRANSFER OF WATER/WATER RIGHTS DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE RIGHT OR SEASON OF USE. FOLLOWING THE EXPIRATION OF THE TRANSFER PERIOD, ALL RIGHTS SHALL AUTOMATICALLY REVERT TO THE ORIGINAL HOLDERS OF SUCH RIGHT WITHOUT ANY ACTION BY THE STATE WATER BOARD.

I (We) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated: _____ at _____, California.

Permittee/Licensee or Authorized Representative Signature

Title

NOTE: This petition shall be accompanied by the Environmental Information Form and appropriate fees before the SWRCB will consider acceptance of the petition which requests changes to facilitate the long term transfer/exchange.

Fees: The following fees must accompany the petition:

1. A minimum filing fee of \$100, for each application listed in the petition, shall be submitted with the petition (WC 1547). The fee is made payable to the State Water Resources Control Board.
 - a) W.C. section 1547.1 requires an additionally fee of 25% of the amount computed by using the fee schedule in Article 1 (commencing with W.C. Section 1525) for use of water outside of the basin from which the water transfer originates. The fee is based on that portion of water transferred under the existing direct diversion or storage right(s) for each application identified in the petition. For direct diversion rights, the rate is typically computed based on the average rate of diversion (cfs) for the maximum 30-day period of use (AF).
 - b) If the petitioner relies on Water Code section 382, the total filing fee shall be based on the amount necessary to cover the reasonable costs of the SWRCB to evaluate and process the petition (WC 386). Please contact the Division if you would like an estimate of the potential cost.
2. An \$850 environmental filing fee, made payable to the Department of Fish and Game, must accompany a petition for change (Public Resources Code 10005).

INFORMATION REGARDING FILING FEES FOR LONG TERM TRANSFERS

INITIAL FILING FEE

Initial filing fee = \$100 X (number of Applications)

IN BASIN WATER RIGHT TRANSFER FEE

No Additional Fee

OUT OF BASIN WATER RIGHT TRANSFER FEE

OUT OF BASIN TRANSFER FEE = 25% of the direct diversion and/or storage fee calculated below.

For direct diversion water rights: each cubic foot per second (cfs) or fractional cfs rounded up to the next whole cfs to be transferred shall be assessed the following fees:

from 0 to 100 cfs	_____cfs	@ \$10.00 each
over 100 to 500 cfs	_____cfs	@ \$12.00 each
over 500 to 2,000 cfs	_____cfs	@ \$15.00 each
over 2,000 cfs	_____cfs	@ \$20.00 each

Where the amount to be transferred is identified in acre-feet, the rate of diversion 'cfs' shall be computed based on the average rate of direct diversion for the maximum 30-day period of use in which water is either developed or transferred, which ever is greater.

Example: If the amount of the water right is 6 cfs, by direct diversion from May 1 through October 31: and,
the amount to be transferred will be 1,500 acre-feet (af) for the year; and,
the maximum amount of water delivered is 300 af during July;

The fees is based on : $\frac{300 \text{ af}}{31 \text{ days}} \cdot \frac{1 \text{ cfs-days}}{1.98 \text{ af}} = 4.88 \text{ cfs}$, which rounds up to 5 cfs

Out of Basin Direct Diversion Fee = 5CFS X \$100.00/cfs X (number of applications)

For storage water rights: each acre-foot (af) or fractional af, rounded up to the next whole af of storage to be transferred shall be assessed the following fees:

from 0 to 1,000 afa	_____afa	@ \$0.10 each
over 1,000 to 5,000 afa	_____afa	@ \$0.12 each
over 5,000 to 100,000 afa	_____afa	@ \$0.15 each
over 100,000 afa	_____afa	@ \$0.20 each

Example: If the amount of the water right is 100 acre-feet (af) of storage; and,
the amount to be transferred will be 50 af of storage;

The fees is based on: 50 af

Out of Basin Storage Fee = 50 af X \$0.10/af X (number of applications)